

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for March 16<sup>nd</sup>, 2005 PLANNING COMMISSION MEETING

**P.A.S.:** Foreman Ridge Addition, Special Permit # 05002, Community Unit Plan

**PROPOSAL:** A Special Permit/CUP for 29 lots, including 76 Build-Through lots, generally located at S. W. 12<sup>th</sup> Street and W. Denton Road.

**LOCATION:** East of S. W. 12<sup>th</sup> Street and south of W. Denton Road.

### **WAIVER REQUEST:**

1. Sidewalks
2. Street trees
3. Street lighting
4. Landscape screens.
5. Storm water detention
6. Block length
7. Preliminary Plat
8. Lot depth/width ratio
9. To allow sanitary sewer to flow opposite street grade where necessary.

**LAND AREA:** 76.01 acres, more or less

**CONCLUSION:** This is in conformance with the Comprehensive Plan, Zoning and Subdivision Ordinance. The waivers are typical for rural development. The CUP provides the same information and review as would the Preliminary Plat. This layout represents a very unique approach of outlots in order to provide the future lot splits while meeting the provisions of the Ordinance.

<b>RECOMMENDATION:</b>		Conditional Approval
Waivers		
1.	Ornamental lighting	Approval
2	Sidewalks	Approval
3.	Street trees	Approval
4.	Landscape screens	Approval
5.	Block length	Approval
6.	Preliminary plat	Approval
7.	Non-perpendicular lot lines	Approval

8.	Lot depth to width ration	Approval
9.	Sewer flow opposite street grade	Approval

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lot 1, Foreman Ridge; all located in Section 21-9-6, Lancaster County, Nebraska. Legal Description attached.

**EXISTING ZONING:** AGR Agriculture Residential

**EXISTING LAND USE:** Pasture.

**SURROUNDING LAND USE AND ZONING:**

North: farmland	Zoned AG
South: Acreages	Zoned AGR
East: Agriculture/and power station	Zoned AG and P
West: Acreages	Zoned AGR

**ASSOCIATED APPLICATIONS:** n/a

**HISTORY:** Changed from AG to AGR (CZ 3333) in 2001.

**COMPREHENSIVE PLAN SPECIFICATIONS:** The 2025 Comprehensive Plan shows this area as Residential Low Density. This is in the Lincoln Growth Tier II. Clustering is permitted by special permit in the AGR district. Build Through is required.

**UTILITIES:** There are no utilities or water districts in the area.

**TOPOGRAPHY:** Gently rolling, draining to Cardwell Branch to the north.

**TRAFFIC ANALYSIS:** Southwest 12th Street and West Denton Road are paved county roads.

**PUBLIC SERVICE:** This is in the Southwest Rural Fire District, the station is located approximately 4 miles from this site. This is in the Lincoln Public School District, served by Beattie elementary, Irving middle and Southeast high schools. Electric service is by Norris Public Power.

**REGIONAL ISSUES:** Clustering and Build-through.

**ENVIRONMENTAL CONCERNS:** There are no identified environmental or historic resources in or near this application. This land is rated at 6.9 on the land evaluation scale, with 1 being the best and 10 being the worst. This is not prime agricultural land. The water report on other subdivisions in the area have generally indicated good quantity and quality.

**AESTHETIC CONSIDERATIONS:** n/a

**ALTERNATIVE USES:** Acreages or farmland.

**ANALYSIS:**

1. This request is for a Build Through-Community Unit Plan for 29 lots. Public, paved, internal streets are proposed. Individual water and community sewer is proposed. A bonus is being requested for cluster and an additional bonus is being requested for community sewer.
2. The low land/drainage/ponds are about 35% of the parcel and is retained as an outlot.
3. This request is in conformance with the Comprehensive Plan.
4. As requested by the County Board, no scoring is provided on this application.
5. The density calculations for the project are as follows;

76.01 acres of AGR at 0.27 dwelling per acre	=	20.50 dwellings
Bonus for cluster/BTA X 1.20	=	24.24 dwellings
Bonus for community system X 1.20	=	29.55 dwellings
Permitted		29 dwellings
Requested		29 units on 29 lots

Note; The shadow plat provides for 76 future buildable lots.

6. This design includes provisions for Build Through as well as accommodating both the unique character of the land and the area. The Build Through requires that in the AGR district, where a community sewer system is proposed, that no more than 40% shall be development and the lots are no more than one acre. Due to the unique layout, a package of outlots is set up for the future component in order to meet the requirements of the code as well as the open space and ponds.

7. This design reflects the normal adjustments to accomplish a cluster style of acreage subdivision through the CUP.
8. Waivers are requested for street lights, sidewalks, block length, street trees, storm drainage, screening, yard setback, and lot to width ratio. These are typical waivers required, provided for and appropriate for agriculture/acreage clusters. Yards are adjusted from AGR to a more urban setback standard as part of the cluster. Recent amendments no longer required the waiver for street lights, screening, sidewalks and street trees
9. The County Engineer's memo of February 25, 2005 notes several issues and corrections.
10. The Lincoln/Lancaster County Health Department notes water is good. Test wells prior to construction is recommended. A petroleum pipeline does travers the site.
11. Public Works Department memo of February 1, 2005 notes several adjustments and corrections.
12. Norris Public Power is requesting easements.

**CONDITIONS:**

Site Specific:

1. This approval permits 29 dwelling units and up to 76 dwelling units at such time as the area is annexed by the City of Lincoln and rezoned.
2. If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.
3. Before the approval of a final plat, the public streets, private roadway improvements, drainage facilities, land preparation and grading, sediment and erosions control measures, drainageway improvements, temporary turnaround and barricades, and street name signs, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance.

4. Permittee agrees:

4.1. to complete the street surfacing of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of the final plat.

4.2. to complete the surfacing of private roadway, and temporary turnarounds and barricades located at the temporary dead-end of the private roadways shown on the final plat within two (2) years following the approval of this final plat.

4.3 to complete the sanitary sewer and private waste water treatment facility shown to serve this plat within two (2) years following the approval of the final plat.

4.4 to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of the final plat

4.5 to complete the installation of the street name signs within two (2) years following the approval of the final plat.

4.6 to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.

4.7 to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

4.8 to complete the public and private improvements shown on the Community Unit Plan.

4.9 to retain ownership of or the right of entry to the outlots in order to maintain the outlots and private improvements on a permanent and continuous basis and to maintain the plants in the medians and islands on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating, in writing, a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the private improvements have been satisfactorily installed and the documents creating the association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

4.10 to agree to the future conversion of lots to a higher density, including timing of annexation, funding of infrastructure cost, and agreement to petition for special assessment districts and that this is designed for future platting to a density of about 76 dwellings and for future subdivision of the acreage lots, said agreement and deed restrictions to be reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

4.11 to submit to the lot buyers and home builders a copy of the soil analysis.

4.12 to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

4.13 to protect the trees that are indicated to remain during construction and development.

4.14 to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.

4.15 to relinquish the right of direct vehicular access to S. W. 12<sup>th</sup> Street except for West Foreman Drive.

4.16 to maintain County roads until the County Board specifically accepts the maintenance.

4.17 to submit to all potential purchasers of lots a copy of the ground water report.

General:

5. Before receiving building permits:

5.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.

5.1.1 A revised site plan including 5 copies showing the following revisions:

5.1.1.1 Make the revisions noted in the County Engineers memo of February 25, 2005.

5.1.2 Make the revisions in the Public Works memo.

5.1.3 Note the purpose of Outlot "C".

5.1.4 Revise Note #3 to reference the community sewer system.

5.1.5 Amend Note #7 to reflect the "Rural Public and Intermediate BTA Standard" and the City of Lincoln.

5.1.6 Add a note that this is designed for future platting to a density of about 76 dwellings and for future subdivision of the acreage lots.

5.1.7 Revise Note # 5 to remove the statement, "Lagoons shall not be prohibited if a septic system can not be approved".

5.1.8 Show grading for the future private roads.

5.1.9 Provide a drainage easement along the creek.

5.1.10 Show the easements requested by Norris Public Power.

5.1.11 Show the petroleum pipeline easement.

5.1.12 A permanent final plan with 5 copies as approved.

5.2 The construction plans comply with the approved plans.

5.3 Final plat(s) is/are approved by the City.

5.4 The required easements as shown on the site plan are recorded with the Register of Deeds.

STANDARD CONDITIONS:

6. The following conditions are applicable to all requests:

6.1 Before occupying this Community Unit Plan all development and construction is to comply with the approved plans.

6.2 Before occupying these dwellings City/County Health Department is to approve the water and waste water systems.

6.3 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the owner or an appropriately established homeowners association approved by the City.

6.4 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

- 6.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 6.6 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by

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Mike DeKalb, 441-6370, [mdekalb@lincoln.ne.gov](mailto:mdekalb@lincoln.ne.gov)

**DATE:** February 28, 2005

**APPLICANT:** Gary Pickering  
8001 South 13<sup>th</sup> Street  
Lincoln, NE 68512  
(402) 423-5447

**OWNER:** Dolores Y Foreman  
C/O Union Bank and Trust  
P. O. Box 82535  
Lincoln, NE 68501  
(402) 323-1828

Kimberly A. Munnis, co trustor  
Donald C. Foreman Exempt Family Trust  
C/O Union Bank and Trust  
P. O. Box 82535  
Lincoln, NE 68501  
(402) 323-1828

**CONTACT:** Brian D. Carstens  
Brian D. Carstens and Associates  
601 Old Cheney Road, Suite 'C'  
Lincoln, NE 68512  
(402) 434-2424





# **Special Permit #05002** **Foreman Ridge Add CUP** **SW 12th & W. Denton**

2002 aerial

## **Zoning:**

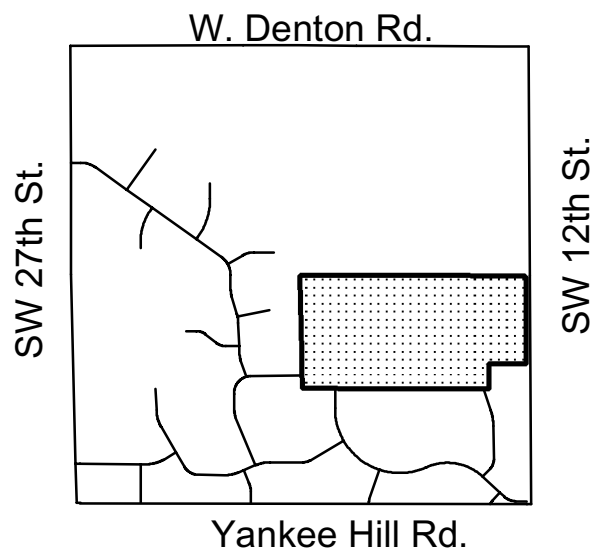
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
 Sec. 21 T09N R6E



Zoning Jurisdiction Lines

City Limit Jurisdiction



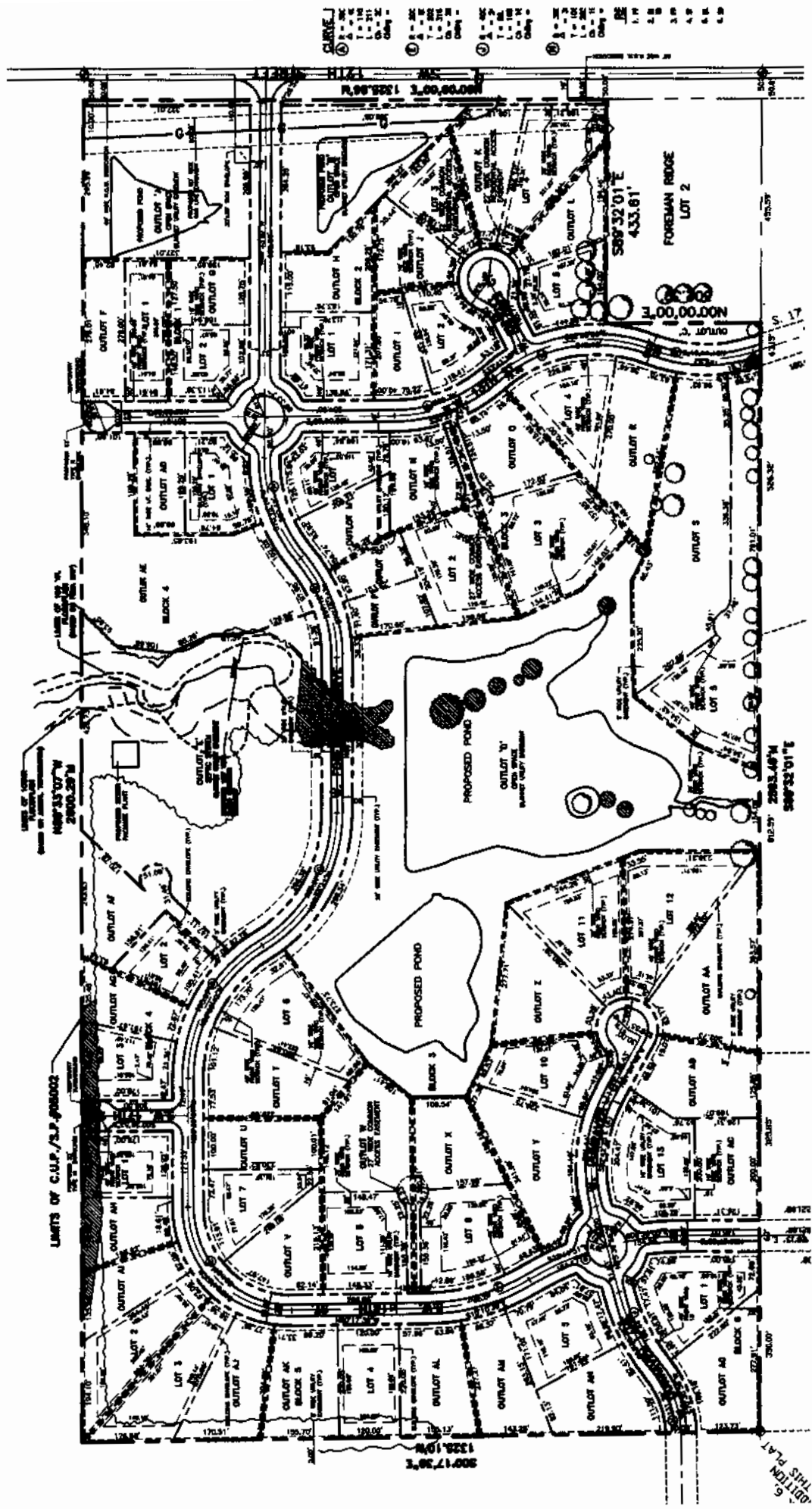
Yankee Hill Rd.

Lincoln City - Lancaster County Planning Dept.

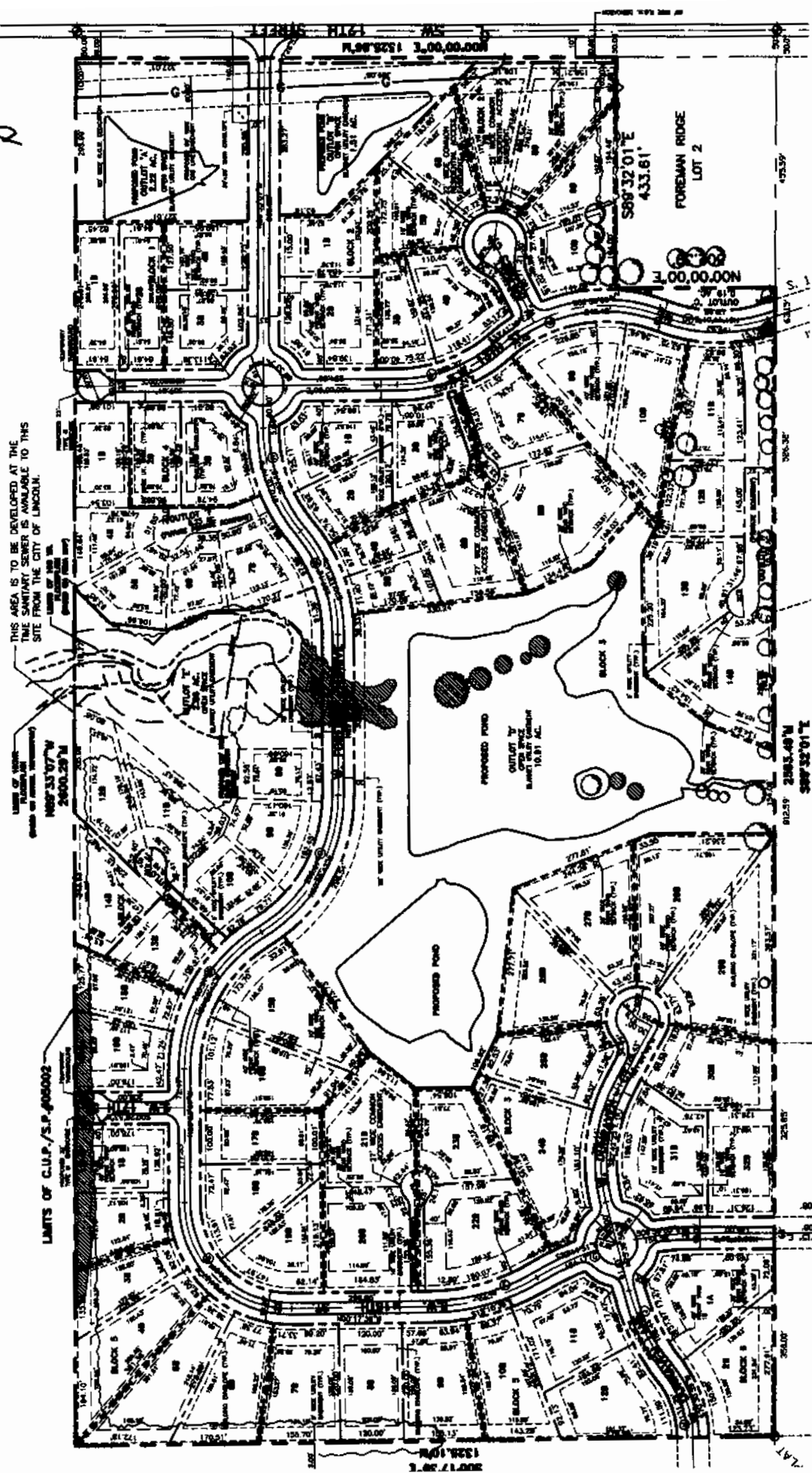
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# Special Permit #05002 Foreman Ridge Add CUP SW 12th & W. Denton

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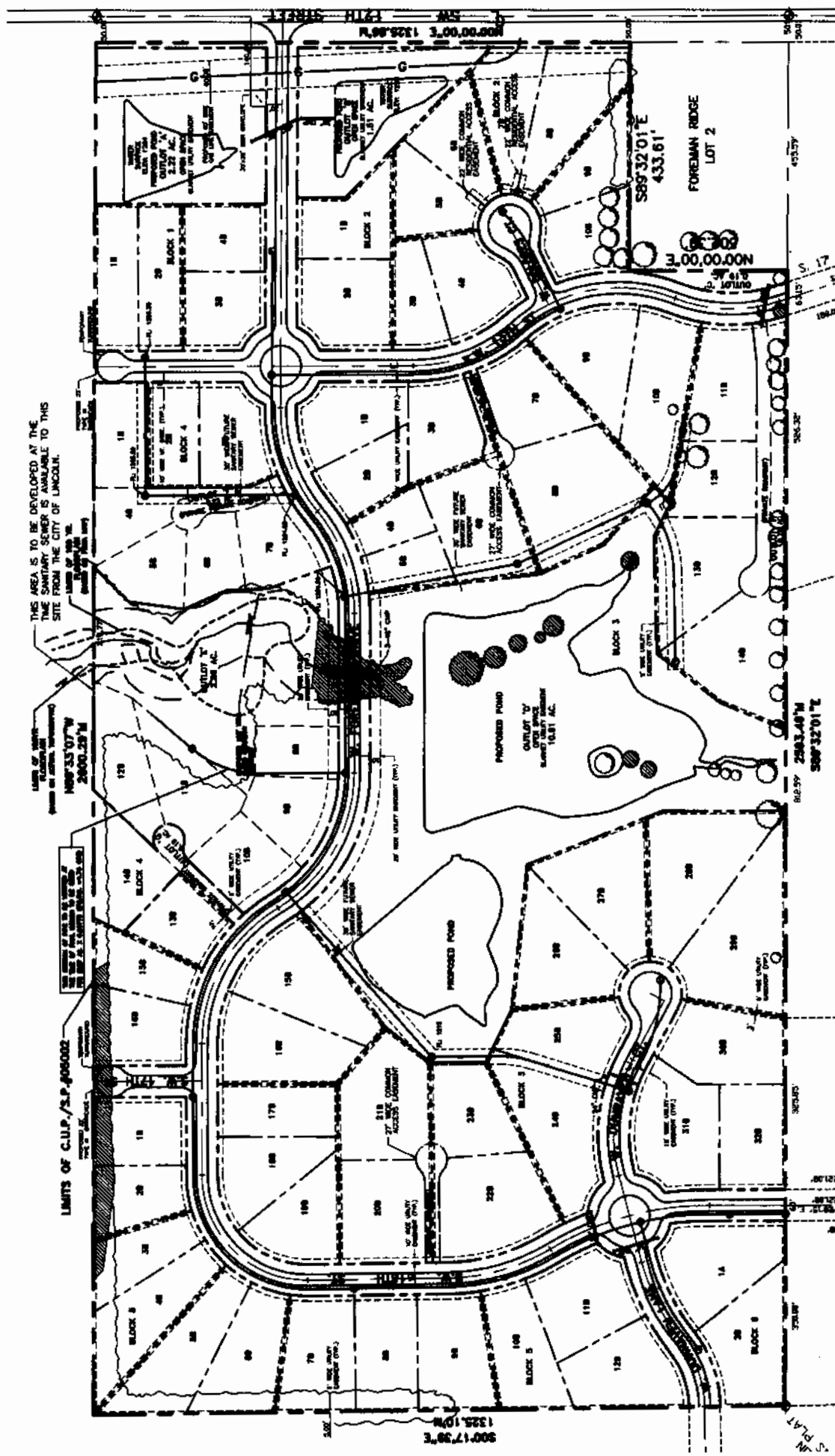
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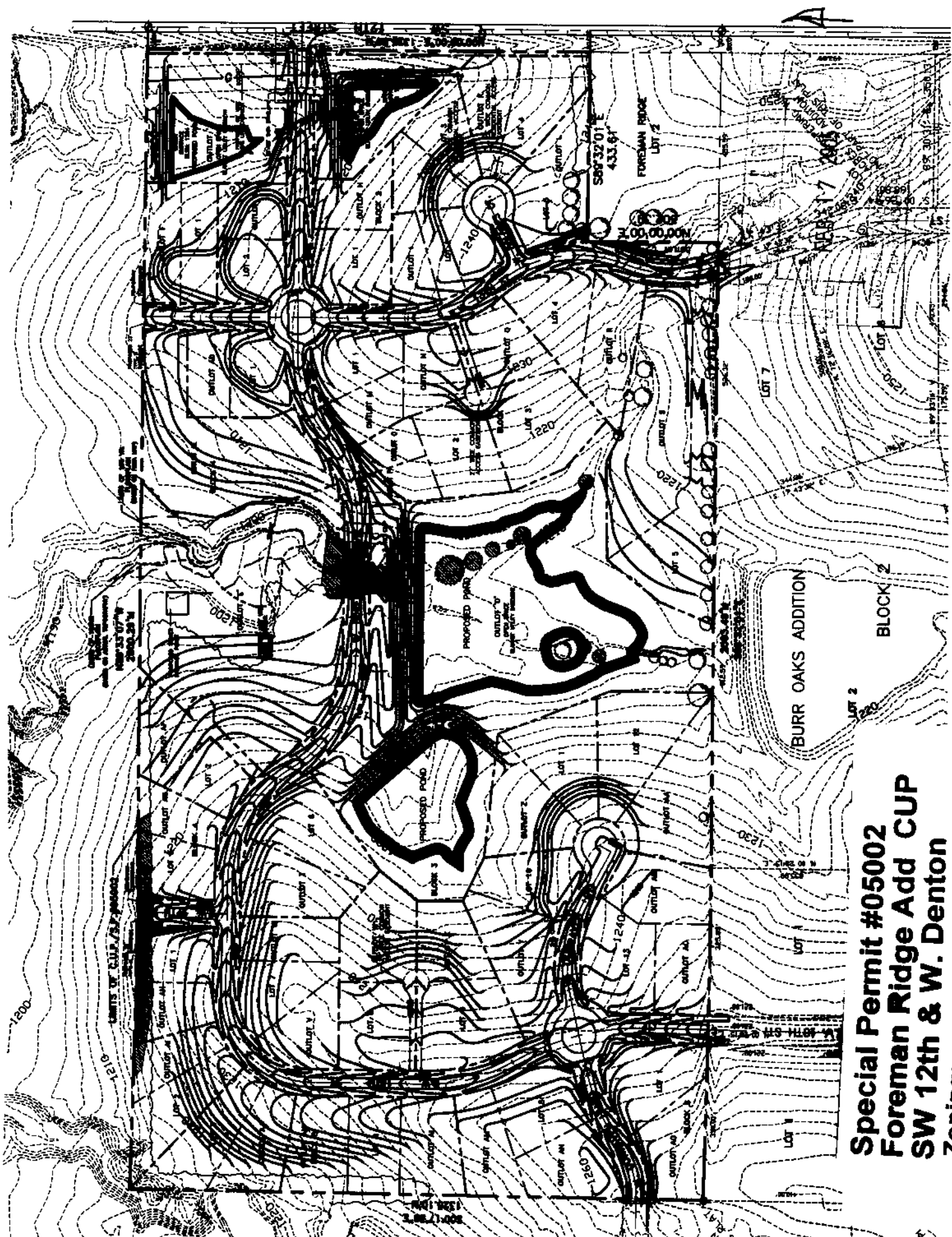




**Special Permit #05002**  
**Foreman Ridge Add CUP**  
**SW 12th & W. Denton**  
**Zone:**

THIS AREA IS TO BE DEVELOPED AT THE  
TIME SANITARY SEWER IS AVAILABLE TO THIS  
SITE FROM THE CITY OF LINCOLN.





**Special Permit #05002**  
**Foreman Ridge Add CUP**  
**SW 12th & W. Denton**

## GENERAL NOTES:

1. THIS COMMUNITY UNIT PLAN/SPECIAL PERMIT CONTAINS 76.01 ACRES MORE OR LESS.
2. THIS COMMUNITY UNIT PLAN PERMITS 29 SINGLE FAMILY LOTS AND 41 OUTLOTS. EACH LOT SHALL CONTAIN A MAXIMUM OF ONE SINGLE FAMILY RESIDENCE AND OUT BUILDINGS, ALL LOCATED WITHIN THE BUILDING ENVELOPES AS SHOWN AND/OR NOTED.
3. THE CURRENT ZONING IS 'AGR' WITH A PROPOSED C.U.P., WITH BUILD THROUGH OVERLAY AND THE BONUS IS PROVIDED FOR PROVISION OF FUTURE URBAN SUBDIVISION, AS WELL AS CLUSTER/OPEN SPACE AND COMMUNITY SEPTIC SYSTEM.
4. THE MAXIMUM BUILDING HEIGHT SHALL NOT EXCEED 35 FEET, AS PER 'AGR' ZONING.
5. THE DEVELOPER PROPOSES THE USE OF A COMMUNITY WASTE WATER SYSTEM. LAGOONS SHALL NOT BE PROHIBITED IF A SEPTIC SYSTEM CAN NOT BE APPROVED. WASTE WATER SYSTEMS SHALL BE APPROVED BY THE LANCASTER COUNTY HEALTH DEPARTMENT AND THE MDCO.
6. THE DEVELOPER PROPOSES THE USE OF PRIVATE INDIVIDUAL WELLS FOR POTABLE WATER SUPPLY TO BE APPROVED BY A PERMIT FROM THE LINCOLN/ LANCASTER COUNTY HEALTH DEPARTMENT.
7. THE DEVELOPER SHALL CONSTRUCT AND SURFACE THE PUBLIC STREETS WITH 6" OF PORTLAND CEMENT CONCRETE PAVEMENT, 23 FEET IN WIDTH IN ACCORDANCE WITH THE LANCASTER COUNTY STANDARDS - RURAL PUBLIC AND INTERMEDIATE BTA STANDARD. THE COUNTY SHALL BE NOTIFIED PRIOR TO THE LAYING OF THE CONCRETE. ALL SURFACING RADII AT INTERIOR INTERSECTIONS SHALL BE 30 FEET. THE SURFACING RADII AT SOUTHWEST 12TH STREET SHALL BE 50 FEET.
8. ONLY ONE SUBDIVISION GROUND SIGN SHALL BE PERMITTED FOR THIS DEVELOPMENT.
9. ALL CURVILINEAR DIMENSIONS ARE CHORD LENGTHS.
10. DIRECT VEHICULAR ACCESS TO SW. 12TH STREET IS HEREBY RELINQUISHED EXCEPT AT WEST FOREMAN DRIVE.
11. ALL TOPOGRAPHIC CONTOURS ARE AT NAVD 88 DATUM.
12. ONLY ONE RESIDENTIAL ACCESS SHALL BE PERMITTED PER LOT UNTIL FURTHER SUBDIVIDED.
13. 'JUNK CARS' SHALL BE PROHIBITED IN THIS DEVELOPMENT AS NOTED IN PROTECTIVE COVENANTS.
14. FUTURE LOT OWNERS WILL BE ADVISED THAT THIS IS IN A RURAL FARM AREA AND THAT NORMAL AND CUSTOMARY FARM ACTIVITIES ARE NOT A NUISANCE.
15. ALL PRIVATE IMPROVEMENTS INCLUDING LANDSCAPING IN PUBLIC ROUND-ABOUTS, SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
16. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS AS IDENTIFIED IN THE LAND SUBDIVISION ORDINANCE FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION. THE DEVELOPER WILL BE RESPONSIBLE FOR CONTROLLING OFF-SITE DUST EMISSIONS IN ACCORDANCE WITH LINCOLN-LANCASTER COUNTY AIR POLLUTION REGULATIONS AND STANDARDS ARTICLE 2, SECTION 32.
17. PROVISIONS BY THE DEVELOPER SHOULD BE MADE FOR RETAINING AS MUCH TREE MASS AS POSSIBLE.
18. THE LOWEST BUILDING OPENING SHALL BE 1' ABOVE THE 100 YEAR FLOOD PLAIN ELEVATION.
19. A WRITTEN AGREEMENT SHALL BE PROVIDED FOR THE FUTURE CONVERSION OF LOTS TO A HIGHER DENSITY, INCLUDING TIMING OF ANNEXATION, FUNDING OF INFRASTRUCTURE COST AND AGREEMENT TO PETITION FOR SPECIAL ASSESSMENT DISTRICTS.
20. ONLY ONE MAIN BUILDING IN A BUILDING ENVELOPE IS ALLOWED PER PLATTED LOT, HOWEVER ACCESSORY USES AND BUILDINGS MAY BE CONSTRUCTED ON ADJACENT OUTLOTS.
21. PERMANENT EASEMENTS SHALL BE SHOWN ON FINAL PLATS FOR CULVERT PIPES THAT EXTEND PAST THE RIGHT-OF-WAY.
22. GRADING SHALL EXTEND AROUND ALL CUL-DE-SACS. THE DEVELOPER SHALL NOTIFY ALL PURCHASERS THAT DITCHES MAY NOT BE FILLED IN. DESIGN DRAINAGE MUST BE LEFT IN PLACE UNTIL BUILD THRU AREAS ARE DEVELOPED.
23. EXISTING TEMPORARY TURNAROUNDS IN ADJACENT SUBDIVISIONS ON SW 18TH STREET, WEST DUNRAVEN LANE AND SW 13TH STREET SHALL BE REMOVED, AND THE ROAD REGRADED, TO PROVIDE A TYPICAL ROAD SECTION.
24. ALL CULVERTS SHALL HAVE A FLARED-END SECTION OR CONCRETE HEADWALL ON THE INLET END.
25. WELL PERMITS WILL BE REQUIRED FOR ALL WELLS LOCATED WITHIN THE SUBDIVISION.
26. THE DEVELOPER/OWNER MAY ADMINISTRATIVELY AMEND THE BUILDABLE LOT AND OUTLOT DESIGNATION, HOWEVER NO ADDITIONAL DWELLING UNITS MAYBE ADDED UNTIL BUILD THRU AREAS ARE APPROVED.
27. LOT 1/OUTLOT N, LOT 2, LOT 3/OUTLOT Q OF BLOCK 3; LOT 8/OUTLOT W AND LOT 9/OUTLOT X OF BLOCK 3; LOT 2/OUTLOT F AND OUTLOT E OF BLOCK 4 SHALL AGREE AND COLLECTIVELY INSTALL THE REQUIRED IMPROVEMENTS AT THE TIME OF BUILD THRU AREAS ARE APPROVED.

**Special Permit #05002**  
**Foreman Ridge Add CUP**  
**SW 12th & W. Denton**

## LEGAL DESCRIPTION:

Beginning at the Northwest corner of Lot 1, Foreman Ridge as platted in the North One-Half of the Southeast Quarter of Section 21, Township 9 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska; thence in a Southerly direction, along the West line of said Lot 1, on an assumed bearing of South 00 degrees 17 minutes 39 seconds East for a distance of 1325.10 feet to the Southwest corner of said Lot 1

THENCE South 89 degrees 32 minutes 01 seconds East, along the South line of said Lot 1, for a distance of 2159.88 feet to the Southwest corner of Lot 2, Foreman Ridge

THENCE North 00 degrees 00 minutes 00 seconds East, along the West line of said Lot 2, for a distance of 302.39 feet to the Northwest corner of said Lot 2

THENCE South 89 degrees 32 minutes 01 seconds East, along the North line of said Lot 2, for a distance of 433.61 feet to the Northeast corner of said Lot 2

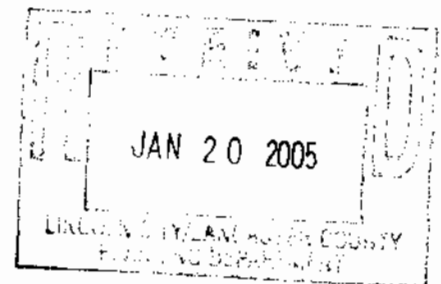
THENCE North 00 degrees 00 minutes 00 seconds East, along the East line of said Lot 1, for a distance of 1023.47 feet to the Northeast corner of said Lot 1

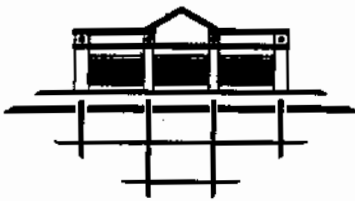
THENCE North 89 degrees 33 minutes 07 seconds West, along the North line of said Lot 1, for a distance of 2600.29 feet to the Point of Beginning

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 76.01 acres more or less.

**Co. Special Permit #05002  
Foreman Ridge Add CUP  
SW 12th & W. Denton**





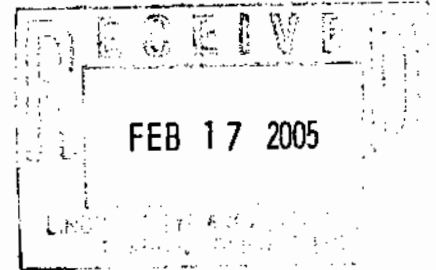
# BRIAN D. CARSTENS AND ASSOCIATES

LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN

601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

February 17, 2005

Mr. Marvin Krout  
Director of Planning  
City of Lincoln/ Lancaster County  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508



RE: FOREMAN RIDGE ADDITION - 'AGR' SPRICAL PERMIT/ C.U.P.  
S.W. 12<sup>TH</sup> STREET AND WEST DENTON ROAD

Dear Marvin,

On behalf of Gary Pickering, we submit the following Special Permit/ C.U.P. for your review. Foreman Ridge Addition is located  $\frac{1}{2}$  mile south of S.W. 12<sup>th</sup> Street and West Denton Road. The site is currently zoned 'AGR' and is located in Tier II of the City of Lincoln's growth pattern. The site is surrounded by existing acreages to the south, west and northwest. The site has vacant 'AG' farming uses and flood plain to the north. The L.E.S./ Rokeby Peaking Station is immediately to the east.

Gary Pickering was the developer of the Burr Oaks subdivision to the south. This will be an extension of that development with a few exciting amenities, including 4 ponds and landscaped round-a-bouts.

The project will contain 29 single family acreage lots in the initial development phase. Each lot will be sold with an adjacent outlot/ outlots for future 'build-thru' subdivision when this area is annexed. Each lot will have its own private well, and a community septic system with a package plant that will provide waste water treatment for the development. We are creating 4 pond areas for aesthetics, as well as handling storm water detention in the future.

Since this site is located in Tier II, the build-thru standards will apply. The public streets will be 23 feet wide, 6 inch thick concrete pavement. This will allow for future curb and gutters to be attached in the future. Once this project is annexed into the City of Lincoln, the development can be further subdivided as shown on the Build Thru Site Plan. Also, the community septic system will be removed and that area can be subdivided. These lots can be sold by the homeowners association, generating money to pay for additional infrastructure needs.

We have calculated the area of each of the 29 buildable lots and the proposed right of way, and have determined that the 'development component' will be 39.31 percent of the limits of the C.U.P. Therefore, we meet the intent of the BTA Ordinances.



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We are requesting the following waivers to the subdivision ordinance;

Waiver of the Preliminary Plat process as this C.U.P. contains the same information required with a Preliminary Plat.

Waiver of sidewalks, street trees, street lighting, landscape screening, as each these improvements would be destroyed once the project is converted to BTA. Installing water mains, filling in roadway ditches and placing cubing will be problematic for any improvements that are located in the existing R.O.W. Also, this development is not being annexed into the City of Lincoln at this time.

Waiver of block length along S.W. 18<sup>th</sup> Street/ W. Foreman Ridge Drive, as proposed ponds and the septic system will interfere with additional street projections.

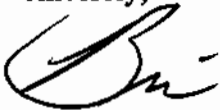
Waiver of storm water detention, as similar acreage developments have shown that detention is not required as the run-off coefficients are the same for pre and post development.

Waiver of sanitary sewer running opposite of street grade. The sanitary sewer will be constructed to meet design standards as far as minimum and maximum depths.

Waiver of the front yard setback from 50 feet to 40 feet and waiver of the side yard setback from 15 feet to 10 feet, as this project is a 'build-thru' development and the larger setbacks are not necessary when the future build thru plan is implemented. Large setbacks only reduce the number of dwelling units that can eventually be built in the development.

We look forward to working with your and your staff as this project moves forward through the approval process. Please feel free to contact me if you have any further questions or comments.

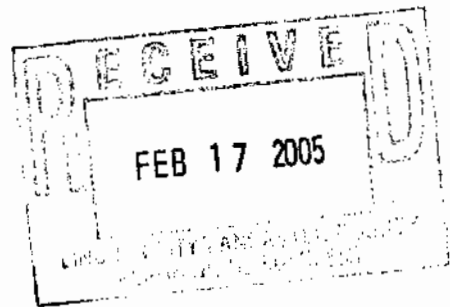
Sincerely,



Brian D. Carstens

cc: Gary Pickering- Pickering Creative Group

Enclosures: 24 copies of pages 1 and 2 of 5  
8 copies of pages 3 thru 5 of 5  
8-1/2" x 11" reductions of the plans



**GROUNDWATER REPORT**

**FOREMAN RIDGE ADDITION**

**N ½ SE ¼ SEC. 21, T. 9 N., R.6 E.**

**LANCASTER COUNTY**

**Petitioner: Brian D. Carstens, Brian D. Carstens & Associates**

**Developer: Gary A. Pickering**

**Owner: Dolores Y. Foreman and Kimberly Munnis**

**Engineer: Lyle L. Loth, E.S.P.**

**Preparer of Report: Vincent H. Dreeszen**

**1/21/2005**

**Co. Special Permit #05002  
Foreman Ridge Add CUP  
SW 12th & W. Denton**

**Report of Groundwater Investigation  
FOREMAN RIDGE ADDITION  
N ½ S ¼ SEC. 21, T. 9 N., R.6 E.  
LANCASTER COUNTY**

The proposed Community Unit Plan is for the development of 29 dwelling units on approximately 76 acres in the N ½ SE ¼ Sec.21, T. 9 N., R. 6 E. Excluded from this development is an existing lot, Lot 2 Foreman Ridge, of about 4 acres in the southeast corner of the 80-acre site. The area is bounded on the east by SW 12<sup>th</sup> Street, on the south by Burr Oaks Addition and Whispering Wind Acres First Addition, and on the west by Cardwell Woods Addition. West Denton Road is one-half mile north. Access is provided from SW 12<sup>th</sup> Street on West Foreman Drive and from existing roads extended from Cardwell Woods and subdivisions to the south (See attached maps).

The development is in the upland on rolling hills and the side slopes adjacent to Cardwell Branch of Salt Creek, which trends west to east just north of the subdivision. Drainage is to the north toward Cardwell Branch. Open space is set aside in outlots along the north to south drainage which essentially divides the subdivision into west and east residential areas. The open spaces included other proposed ponds and space for septic systems and blanket utility easements. The developer is proposing a community waste water system.

Private individual domestic wells for potable water supply to be approved by the Lincoln Lancaster County Health Department is proposed by the developer. Lots range in size from slightly more than one acre to many of 1.5 to 2 or more acres. A few lots are more than 3 acres in size.

The only known aquifer in the area is the Dakota Sandstone Formation of Cretaceous age. The Dakota consists of interbedded sandstones and clays and is underlain by Paleozoic rocks of Pennsylvanian Age. The base of the Dakota and top of the Pennsylvanian lies at a depth of about 1085 feet (plus or minus 5 feet) above mean sea level (msl). The land surface elevations in the subdivision range from about 1250 feet in the southwest corner to about 1200 feet where the small drainage exists toward Cardwell Branch. Depth of wells drilled to the base of the aquifer can be expected to range on the proposed lots from about 130 to 160 feet depending upon land surface elevations.

The water table is relatively flat sloping north-northeast toward Cardwell Branch. The water table slopes from about 1200 feet above msl on the south side of the section in Burr Oaks to about 1180 feet above msl in Cardwell Branch. Depth to water can be expected to range from 30 feet to 45 feet. Saturated aquifer thickness can be expected to average more than 50 feet.

Records of wells in nearby developments were reviewed for this report. Conditions at Foreman Ridge with respect to water quantity and quality can be expected to be similar. Absent information to the contrary, satisfactory yields have been developed for the rather large number of existing wells in the area. It is expected that wells yielding 10 to 20 gpm can be developed on lots in Foreman Ridge. Because of the variable characteristics of the Dakota, a test well is recommended before beginning home construction on any given lot.

Water quality analyses are also available from a number of wells in nearby subdivisions. The water quality is quite good and is generally less mineralized than water from the Dakota in much of the rest of Lancaster County. The water is relatively hard appearing to range from about 250 to 350 mg/l. Total dissolved solids range from 350 to slightly more than 500 mg/l. Sodium and

chloride are quite low as is sulfate. Manganese levels were uncharacteristically low for water from the Dakota. Most levels were less than 0.1 mg/l. Nitrate-Nitrogen levels, with a few exceptions where nitrate sources were suspected, were also quite low, generally less than 0.1 mg/l. The concentrations of iron in the tested wells varied from less than 0.1 mg/l in most wells to as much as 2 to 3 mg/l in two wells.

In summary, the available information indicates that individual private domestic wells can be developed at Foreman Ridge subdivision with satisfactory yields. It is possible that more than one test well will be required on a few lots. Water quality is expected to be potable and of quite good quality. Some homeowners may wish to treat water for hardness and in some cases for iron. Inorganic water quality analysis is recommended to determine what treatment, if any should be considered.

Lancaster

DON R. THOMAS - COUNTY ENGINEER

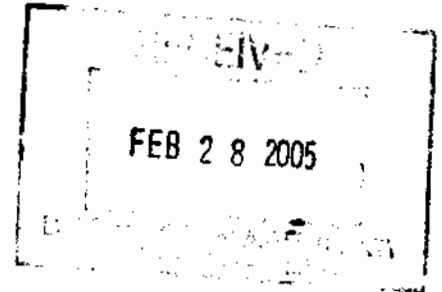
County

Engineering

Department

DEPUTY- LARRY V. WORRELL  
COUNTY SURVEYOR

**DATE:** February 25, 2005  
**TO:** Mike DeKalb  
Planning Department  
**FROM:** Larry V. Worrell  
County Surveyor  
**SUBJECT:** FOREMAN RIDGE ADDITION CUP - REVISED



This office has reviewed subject development and would have the following comments:

- 1) General Note 15 shall be revised to allow plants, shrubs or vegetation in the round-abouts, but in no case shall the plantings encroach on the traveled way and shall be no higher than 3.5 feet above the elevation of the traveled way.
- 2) The profile of SW 17<sup>th</sup> Street requires an extreme amount of fill when the street is extended for a future development. This condition is not reasonable.
- 3) The connection of West Dunraven Lane and West Dunraven Court to SW 18<sup>th</sup> Street is not acceptable. The approach profiles do not intersect with the proposed profile of SW 18<sup>th</sup> Street.
- 4) The elevation of the middle of the round-about at Culvert A is 1,248.62 which is only 1.62 feet above the 24" culvert inlet.
- 5) The low point of the road for Culvert B should be 1,246.80 which is only 1.80 feet above the 24" culvert inlet.
- 6) The headwater for Culvert D is within 0.24 foot of the road centerline elevation. The headwater should be below the shoulder elevation.
- 7) The low road elevation for Culvert E is shown as 1,208.50 in the HY-8 analysis and is shown as 1,206.45 on the street profile. This culvert should be redesigned.
- 8) Additional details shall be submitted for the round-abouts. Details shall show what size vehicle can use the round-about and provisions for drainage.
- 9) The developer shall provide the attached Exhibit B - *Maintenance Responsibilities of Ditches and Drives* to all prospective buyers.

Attachment

LVW/DP/cm

SUBDIVISIONS/Foreman Ridge Addition CUP Revised.Mem

## **EXHIBIT "B"**

### **MAINTENANCE RESPONSIBILITIES OF DITCHES & DRIVES**

#### **WITHIN SUBDIVISIONS WITH PAVED ROADS**

- 1) All driveways must be applied for and/or approved by the County Engineer's Office.
- 2) General maintenance, i.e. mowing and keeping ditches and driveway pipes free of all obstructions (including, but not limited to, trees, shrubs, fences, gates, and wooden walkways), shall be the responsibility of the adjacent property owner. This responsibility is the designated area of public right-of-way from the edge of pavement to the right-of-way line.
- 3) The only permitted item within the right-of-way shall be a mailbox. This mailbox and mailbox post shall be a minimum of five (5) feet from the edge of pavement. The mailbox opening may be four (4) feet from the edge of pavement. The mailbox support or standard shall be no larger than 2'x2' by 5.2' high. The mailbox and standard shall only be used for mail purposes and may have street addresses affixed to it. The mailbox turnout shall be paved and maintained by the owner whom it serves. No other fixtures will be allowed within the public right-of-way except public street name signs, traffic control signs, and public lighting approved by the City.
- 4) Any item or items found that are not permitted within the public right-of-way shall be removed by the adjacent property owner within 48 hours of notification, or the item will be removed. The cost of the removal will be the responsibility of the adjacent property owner.
- 5) Should the adjacent property owner neglect or be negligent in performing the general and requisite maintenance of driveway, driveway pipes and ditches, and damages do occur to the public roadway or the adjacent property, then that property owner shall be responsible for all damages and liabilities that occur.
- 6) Any nonconforming use or obstruction which is a danger to public safety shall be corrected within 24 hours of notification, or the cost of such correction shall be the responsibility of the adjacent property owner.
- 7) When it is determined by the County Engineer's Office that a driveway pipe or pipes have deteriorated or been damaged to a point that replacement is required, the property owner shall replace said driveway pipe within one week of notification or bear the cost of said replacement.

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-OFFICE COMMUNICATION**

**TO:** Mike DeKalb

**DATE:** February 3, 2005

**DEPARTMENT:** Planning

**FROM:** Chris Schroeder

**ATTENTION:**

**DEPARTMENT:** Health

**CARBONS TO:** EH File

**SUBJECT:** Fourman Ridge Addition

EH Administration

CUP #05002

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed development with the following noted:

- The developer proposes the use of a community septic system as the on-site wastewater treatment system. The general notes indicate the developer will install lagoons if a septic system cannot be approved. Historically, the experience of the LLCHD with community sub-surface (septic) systems has not been favorable. The LLCHD recommends denial if a sub-surface system is proposed. The LLCHD will conditional approve a lagoon or package treatment plant system.
- The developer proposes the use of individual private wells for potable water. The summary of the groundwater report indicates that individual wells can be developed with satisfactory yields. Because of the variable characteristics of the Dakota aquifer, it is recommended that a test well be installed prior to the construction of a home on any given lot. Water quality is expected to good although homeowners may wish to treat the water for hardness and in some cases iron. Inorganic water quality analysis is recommended to determine what treatment, if any, should be considered.
- Well permits will be required for all wells located within this subdivision.
- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.



- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

# Memorandum

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<b>To:</b>	Mike DeKalb, Planning Department
<b>From:</b>	Chad Blahak, Public Works and Utilities
<b>Subject:</b>	Foreman Ridge
<b>Date:</b>	2/01/05
<b>cc:</b>	

Engineering Services has reviewed the submitted plans for the Foreman Ridge CUP, located South of West Denton Road and west of SW 12<sup>th</sup> Street, and has the following comments:

**Sanitary Sewer** - The following comments need to be addressed.

(1.1) Easements need to be shown for the possible location for the future sewer extensions required to serve this plat.

(1.2) The alignment of the future sanitary sewer along the east side of Outlot D is unsatisfactory. The alignment needs to be revised to show 90 degree or less angle. Also, sizing calculations need to be provided showing that the future eight inch sewer will be sufficient to serve all the land upstream to the south of this plat.

**Water Main** - The water system is satisfactory.

**Grading/Drainage** - The following comments need to be addressed.

(3.1) The requested waiver of design standards for detention is not necessary as the proposed land use will not increase the storm runoff. However, additional information is required concerning the proposed ponds. If the ponds are to be built with this plat information needs to be provided concerning the outlet works for the ponds. Information needs to be shown how the pond in Outlot B and the main pond in Outlot D will function with the road culverts directly down stream.

(3.2) Easements need to be shown for future storm sewer that will be required to drain the cul-de-sacs and other sump conditions in the streets. Also, the grading and flowage easements need to be shown to ensure that the drainage paths stay open.

(3.3) Minimum opening elevations need to be provided for all lots that will be adjacent to the proposed ponds.

(3.4) A flood corridor easement needs to be shown for the portion of the portion of the channel that drains more than 150 acres and is not part of the mapped flood plain.

(3.5) Labels for the proposed culverts need be provided to match the locations on the plans to the analysis in the culvert sizing report before a proper review can take place.

**Streets/Paving** - The following comments need to be addressed.

January 27, 2005

(4.1) As shown there are numerous locations in this plat that shows intersection platform grades exceeding the maximum grades allowed by design standards. The profile grades need to be revised to meet design standards or a waiver of design standards for intersection platform grades needs to be requested and justified.

**General** - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

F:\FILES\sieceb\Projects\2005-01-002\Word Files\frmsrdgCUP.wpd

January 28, 2005

Mike Dekalb, Project Planner  
555 S. 10<sup>th</sup> St. #213  
Lincoln, NE 68508

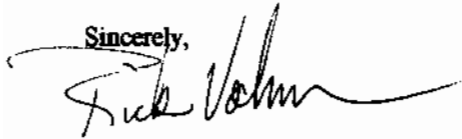
RE: Foreman Ridge

Dear Mike,

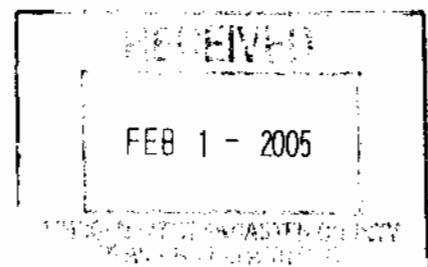
I have reviewed the subject plat and see easements in place as needed, with one exception. I would like to see 20' of easement along the north and south side of W. Foreman Dr. that is adjacent to Outlots D and E. I have spoken with Gary Pickering about this and he did not indicate this would be a problem.

Thanks for your cooperation.

Sincerely,



Rick Volmer, Construction Superintendent Area 2





**Dennis L Roth**

02/23/2005 12:39 PM

To: Michael V Dekalb/Notes@Notes

cc:

Subject: re: foreman Ridge Add, revised

PROJ NAME: Foreman Ridge Addition, revised  
PROJ NMBR: CUP #05002  
PROJ DATE: 01/21/2005, 02/23/2005  
PLANNER: Mike Dekalb

Finding NO similar/duplicate street names within our database, other than those which are obvious extensions of an existing street.

Dennis "denny" Roth, ESD II/CAD Admin  
Emergency Communications 9-1-1 Center

CROSS STs: SW 12 St

PUBLIC STs: W Dolores Ct, W Dunraven Ct, W Dunraven Ln, W Foreman Dr SW 13 ST, SW 17 St and SW 13 St, SW 17 St and SW 18 St.

PVT STs: none

COMMENTS: Approval

# Memo



**To: Mike Dekalb, Parks & Recreation**

**From: Mark Canney, Parks & Recreation**

**Date: January 25, 2005**

**Re: Foreman Ridge Addition**

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Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have compiled the following comments:

1. Pursuant to section 26.27.090 of the Land Subdivision Code, the requirements for street trees may be waived for lots in excess of one acre and located outside of the corporate limits. It is recommended that the requirements for street trees for this plat be waived at this time.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-OFFICE COMMUNICATION**

<b>TO:</b> Mike DeKalb	<b>DATE:</b> March 2, 2005
<b>DEPARTMENT:</b> Planning	<b>FROM:</b> Chris Schroeder
<b>ATTENTION:</b>	<b>DEPARTMENT:</b> Health
<b>CARBONS TO:</b> EH File	<b>SUBJECT:</b> Foreman Ridge Addition
EH Administration	CUP #05002 Revised

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed development with the following noted:

- According to the LLCHD's Geographic Information System (GIS) records, an eight inch high pressure underground petroleum pipeline traverses the eastern edge of this proposed development. In the event of a spill or leak of a flammable liquid, the United States Department of Transportation's 2000 Emergency Response Guidebook recommends immediately establishing an isolation area of at least 80 to 160 feet in all directions to protect public health. For a large spill of a flammable liquid, this guidebook recommends an initial downwind evacuation for at least 1000 feet.
- Given this information, the LLCHD recommends establishing a buffer of 160 feet on each side of this pipeline. See the attached GIS map for the location of this pipeline and the 160 foot buffer. While there are no current regulations that prohibit the location of occupied structures within certain distances of underground petroleum pipelines, the LLCHD recommends that occupied structures not be located within the 160 feet of this pipeline. At the very least, prospective buyers of the lots should be informed regarding the presence of the underground petroleum pipeline and the LLCHD's recommended 160 foot buffer.
- The developer proposes the use of a community septic system as the on-site wastewater treatment system. The general notes indicate the developer will install lagoons if a septic system cannot be approved. Historically, the experience of the LLCHD with community sub-surface (septic) systems has not been favorable. The LLCHD recommends denial if a sub-surface system is proposed. The LLCHD will conditional approve a lagoon or package treatment plant system.

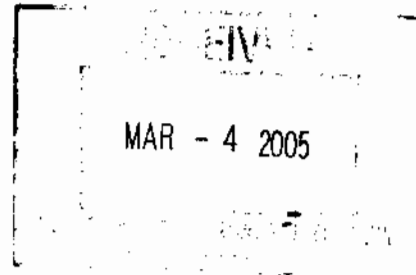
- The developer proposes the use of individual private wells for potable water. The summary of the groundwater report indicates that individual wells can be developed with satisfactory yields. Because of the variable characteristics of the Dakota aquifer, it is recommended that a test well be installed prior to the construction of a home on any given lot. Water quality is expected to good although homeowners may wish to treat the water for hardness and in some cases iron. Inorganic water quality analysis is recommended to determine what treatment, if any, should be considered.
- Well permits will be required for all wells located within this subdivision.
- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.





AREA 2  
SERVICE CENTER

R.R. 1 BOX 56  
ROCA, NEBRASKA 68430  
402/423-3855  
FAX 402/423-8090



March 2, 2005

Mike Dekalb, Project Planner  
555 S. 10<sup>th</sup> St. #213  
Lincoln, NE 68508

RE: Foreman Ridge, revised

Dear Mike,

I have reviewed the subject plat. I would like to see easements around all property lines, as proposed on the plat, and as needed for future re-platting. I would request our standard 10' along all frontage, and 10' [ 5' each side ] of adjacent property lines.

Thanks for your cooperation.

Sincerely,

Rick Volmer, Construction Superintendent Area 2